

**REMARKS**

The Office Action indicated that the subject matter of Claims 2, 3, and 8 would be allowable if rewritten in an independent form. Accordingly, new Claim 14 represents the allowed subject matter of dependent Claim 2, new Claim 15 represents the allowed subject matter of Claim 3, and new Claim 14 represents the allowed subject matter of Claim 8.

Accordingly it is believed that Claims 14-21 are allowable.

The present invention is in a highly competitive field of storing banknotes within a safe box and provides improvements to ensure an efficient and accurate storage system. Numerous engineers have attempted to provide improvements in this field and accordingly the patentability should be considered based on this environment.

“Thus when differences that may appear technologically minor nonetheless have a practical impact, particularly in a crowded field, the decision-maker must consider the obviousness of the new structure in this light.”

*Continental Can Co. USA Inc. v. Monsanto Co.*,  
20 USPQ 2d 1746, 1752 (Fed Cir. 1991).

The present invention utilizes a pusher member which is part of the mover unit for moving the received banknote into the storing section. The mover unit can move between a standby position and a moved position. Referring to Figure 6 the standby detecting position is disclosed and includes a light emitting unit that is mounted parallel with a photo acceptance element. An optical guide member receives the projected light and reverses it through a gap-detecting space to the photo acceptance element. A portion of the pusher member can enter into the gap-detecting space so that it is optically detected by interrupting the light signal for a standby position. As can be seen in Figure 7, a moving position sensor having a similar optical guide member can detect a moving detecting piece 182. As can be appreciated, the moving

position detector is coordinated with the pushing member 76 in a standby condition by a controlling unit as seen in Figure 8.

The Office Action contended that Claims 1, 4-7, and 9-11 were obvious over the *Polidoro* (U.S. 5,676,366) in view of the *Mays et al.* (U.S. 5,641,157).

The *Polidoro* reference discloses a rotating drive member having a pin or finger 28 mounted within the control groove 14 within the linkage control plate 13. Control plate 13 can drive one of the control arms 15 for moving a pusher plate. The extended position of the pusher plate is shown in Figure 2, while the rest position is shown in Figure 3. The *Polidoro* reference suggests two different sensors, one comprising a series of openings or slots 33 that are connected with the shaft 27. While not shown, a second detector can detect the position of a start mark 34.

An alternative detector is shown in Figure 2, wherein a ruler 35 having a corresponding marking can be read by the sensor as an equivalent disc encoder 31 as shown in Figure 4. As can be readily appreciated, the move position detector unit and the standby detector unit of the present invention is not taught nor shown in the *Polidoro* reference.

The Office Action contended that the *Mays et al.* reference could be relied upon to show a banknote receiving unit with a banknote starting unit and an electric motor with a plurality of gears. The Office Action further contended that the combination of the *Polidoro* and *Mays et al.* disclosure taught all the features of the present claims except that it purportedly taught an integrated sensor detecting multiple positions in place of the combination of a discrete home position sensor and a discrete move position sensor. The Office Action does not cite a teaching reference but contends that these features would be obvious to a person with ordinary skill in this field.

Without having a teaching reference, applicant is unable to determine the obviousness of three separate references. Accordingly, applicant requests that if this rejection is maintained, a reference be cited in support of this position pursuant to MPEP § 706.02(a).

“When prior art references require selective combination by the court to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gleaned from the invention itself.”

*Interconnect Planning Corp. v. Feil*, 774 F.2d 1132,  
1143 (Fed. Cir. 1985)

The *Polidoro* reference uses the disc encoder 31 or the ruler 35 to simply recognize a depth of penetration of the pusher plate 6 into the cassette 3. This signal from the sensor is not used to control the driving of the pusher as defined, for example, by the controlling unit set forth in our Claims 1 and 4. Thus there is no teaching of an equivalent controlling unit claim element.

As recognized by the Office Action, there is also no teaching of a standby position detecting unit that can cooperate and be coordinated by the controlling unit for entering a banknote and driving it with a pusher member for storage purposes.

Thus even if there was a hypothetical teaching reference, these references would still fail to teach the claimed features defined by our present independent claims.

It is respectfully submitted that the citation of the references failed to teach multiple elements of Claims 1 and 4, and that the combination of references appear to be only an aggregation in hindsight from a teaching only contained in the present specification, which is not proper under 35 U.S.C. § 103.

In view of the amendment to the claims and the above comments, it is believed the case is now in condition for allowance, and early notification of the same is requested.

If the Examiner feels a telephone interview will help further prosecution of this case, he is respectfully requested to contact the undersigned attorney at the listed telephone number.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 23, 2005.

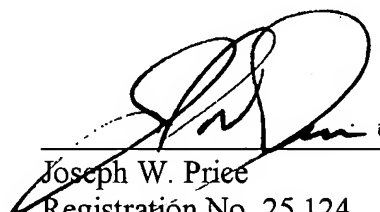
By: SHARON FARNUS

Sharon Farnus  
Signature

Dated: June 23, 2005

Respectfully submitted,

**SNELL & WILMER L.L.P.**

  
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Joseph W. Price  
Registration No. 25,124  
1920 Main Street, Suite 1200  
Irvine, California 92614-7230  
Telephone: (949) 253-4920